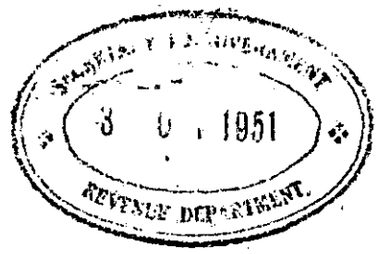
For mysore state

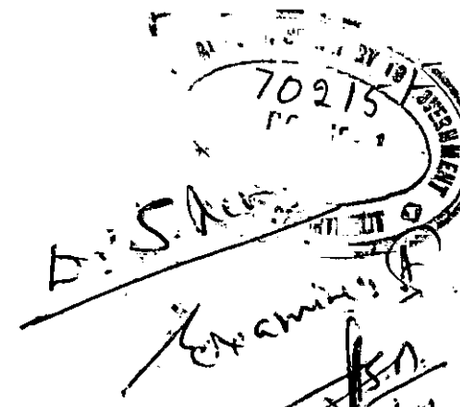
Revenue DEPARTMENT.

Papers sent from Madras / Ootacamund to Ootacamund / Madras on the 194

Current number. (1)	Short subject. (2)	To whom sent. (3)	Initials with date of person mentioned in column (3). (4)	Remarks. (5)
	1951			CA 9
	Memo 70215 F/57-6			
	D.25-X-57			

FOR MYSORE STATE





From

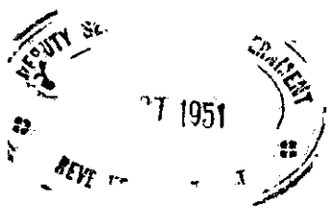
A B R.Kotragowd,
Political Sufferer,
Arasanahal Village,
Harapanahalli Taluk,
Bellary District.

To

The Hon. Minister for Revenue,

Government of Madras,

Madras.



Sir,

Sub:- Assignemnt-Land-Grant to Political Sufferers-Bellary District-Harapanahalli Taluk-Arasanahal Village-S.No. 176/1,2,3 assigned by Collector, Bellary to P.S., A.B.R.Kotragowd-Appeal petition by squatter on sub-division 176/2 against the Collector's assignment orders of 176/2-Quashing of squatters Appeal petition & upholding of Collector's assignemnt order D/ 3-5-51 requested.

Ref:-

1. Application of A.B.R. Kotragowd, P.S., D/ 25-10-'49.
2. Harapanahalli Tahsildar's R.C.2747/49 B.5. D/ 30-11-'49. & D/ 5-5-50, and R.C.2954/50 B.5 D/ 7-12-'50 & 17-1-'51.
3. Board's Ref. B.~~Rap~~ 703/50.3. D/ 11-8-'50.
4. G. O. Misc. No.2437/50.3. D/ 8-9-'50.
5. Board's B.P.Rt. 5852/14-9-1950.
6. Resolution of the Bellary District Advisory Committee for Political Sufferers held on 28-4-'51.
7. Bellary Collector's R.Dis.14225/49 D/ 3-5-51
8. Bellary Collector's R.Dis.14225/50 A.3. D/ 30-12-50.

Under the provisions of G.O.1523, dated 11-6-1949, the Collector, Bellary, was pleased to assign to me, in his R. Dis. No. 14225/50 A.3. dated 30-12-'50, the S.No. 176/1 and 176/3, and, in his R. Dis. No.14225/49 dated 3-5-'51, the S.No.176/2 Govt. dry, measuring 2.71 acres, of

Arasanahal village in Harapanahalli taluk of Bellary district.

I learn that an appeal petition has been preferred to the Board by the sqatter on subdivision 176/2 of S.No. 176 against the Collector's assignment order, on some irrelevant and untenable grounds so as to defeat the very purpose of the G.O.1523 and the ultimate ends of justice.

Prior to the assignment by the Collector of S.No. 176/2 to me as against the rich squatter, the question as to whom this land should be assigned between the Policical Sufferer and the Squatter was discussed in full detail in all its relevant aspects by all the authorities concerned.

This land S.No.176/2 was first in the prohibitory list. On my application for its assignment to me, the Collector, Bellary, recommended its elimination from the prohibitory list with a view to facilitate its assignment to me, a political Sufferer. The Board in their Ref. 703/50-3 dated 11-8-'50 recommended to the Government of Madras the Collector's proposal. The Govt. in their G.O. Misc.No.2437/50-3 dated 8-9-'50 approved the Board's recommendation and permitted the Collector, Bellary, to assign the land to me, the P.S. The Board'in their B.P.Rt. 5852/14-9-1950 eliminated the said land from the prohibitory list and approved the Collector's proposal that the said land, subdivision 176/2 of S.No.176, might be assigned to the P.S. The Tahsildar, Harapanahalli has also recommended the assignment to me, the P.S., in his R.C. 2954/50-3 D/7-12-'50 and 17-1-'51. Thus it can be clearly seen that the land in question came to be eliminated from the prohibitory list essentially with the intention of its being assigned to me, the first applicant

to the land in question as a Political Sufferer.

But in spite of the express order of the Government that the said land might be assigned to me, the P.S., further discussion in the P.S. Advisory Committee meetings as to whom this should be assigned between the P.S. & the Squatter went on for another seven months. At last the Bellary District P.Sufferer's Advisory Committee too recommended , in their resolution dated 28-4-51, the assignment of the said land to me. On the strength of all these grounds and under the provisions of G.O.1523, the Collector finally assigned the said land i.e. S.No. 176/2, to me in his R.Dis. 14225/49 dated 3-5-'51, after quashing the objection petition of the squatter, Settyal Sivaramappa.

But the squatter, being rich and highly influential, is blocking at every step from myself being put in possession of this land 176/2. He is raising over and over again the same irrelevant and untenable objections even against the Collector's assignment order.

I have applied for a certified copy of the Appeal Petition of the squatter to the Board with a view to acquaint myself with the exact objections raised by the squatter against the Collector's assignment order, so that I can put forth my claims to the land which is already assigned to me and objections to the so called claims of the squatter. But as I see no prospect of my getting a certified copy in time to represent my case to the Board before it passes orders, I invite the kind attention of the Hon. Minister for Revenue to the following facts and request that he be pleased to do justice to me, a Political Sufferer and assignee.

1. The squatter on S.No. 176/2, Settyal Sivaramappa,

is neither landless poor nor Harijan; nor does he belong to any other class of persons contemplated in Para 3(iii) of G.O.1523 to claim any preference over the Political Sufferer, the present assignee. On the other hand, the squatter is highly rich and owns 85 acres of fertile cultivated patta lands besides about 50 acres of fallow patta lands which he is not able to cultivate yet. It is not out of any bona fide needs that the squatter pleads against the Collector's assignment order, but out of sheer greed that knows no bounds and is opposed to social justice intended by G.O.1523

2. As a contrast, the present assignee, A.B.R.Kotragowd, besides being political sufferer, is a landless poor owning only three acres of land inherited from his father. This fact by itself is a sufficient ground to quash the appeal petition of the squatter.

Further, the Political Sufferer is one who has sacrificed and wrecked his highly prospective life career in the cause of Indian Independance. True to the very spirit and letter of Gandhiji's "Back to the Land" call, he has gone back and settled down in his interior village to serve and help the masses of all the surrounding villages against exploitation and tyranny from whatever quarters they arise. In the Freedom Movement in 1942, he was the first accused in the 'Anantapur College Arson Case' along with Messrs. G. Venkatta Reddy, the present M.L.C., and Raghavachar, ex-public prosecutor, and underwent three months' jail life. He was in the Senior B.A.class and was expelled from the college for his political activities. Although the then Principal of Anantapur College offered readmission on condition that he would keep aloof from active politics, he refused to accept the offer as it was humiliating to his national pride and honour and as it aimed at deviating

him from his path of duty to the country in the most trying times.

As such, Sir, this Political Sufferer deserves all sympathy, co-operation and active help especially from a Congress Government that is wedded to the uplift of, and social justice to, the backward masses.

As against this, the squatter was never a participant in Freedom's fight and has been a sworn reactionary who has all along stood but to ridicule the principles and programme of the Indian National Congress.

3. The idea of granting S.No. 176/2 to the rich squatter is but adding to the Zamindari instead of abolishing or minimising it, and hence is opposed to social justice that is nobly entertained in G.O.1523.

4. The Squatter's vague claim that he has spent much money in reclaiming this land by way of constructing two small voddus across S.No. 176/2 is not a bona fide one. It is in the interest of his own adjoining fields to prevent surface soil erosion that he has constructed two voddus. The silting up of the vanka course was but nature's work. These facts may be verified from Harapanahalli Tahsildar's report. Besides, the very construction of the two voddus across the prohibited area of S.No. 176/2 without the previous sanction of the Government and definitely against the express order of the Government, itself is nothing short of defying or ignoring the Government altogether.

Further, whatever amount the squatter might have spent, has been fully recouped by him already and his claim is thus disposed off by the Collector, Bellary, in his discretionary powers vested in him according to

Para 3 (iii) of G.O.1523, before the Collector assigned the land to me, the Political Sufferer.

5. It is said that the squatter's father had once credited Rs. 186/- into the Harpanahalli Sub-treasury by way of market value which lapsed to the Government for failure on his part to apply for refund in time. Well, Sir, this excuse cannot now be given a colour for prior claims by the squatter. When the Board refused to assign the land to the squatter and directed the squatter to apply for refund of the said amount, it was his look-out to have applied for it in time. His failure to do so cannot be a relevant arugument to circumvent G.O.1523 and hence needs no consideration.

6. The squatter's submission that he has been in enjoyment of the land in question for over twenty years is a deliberate falsehood intended to mislead the Government and aimed at nullifying the effect of G.O.1523.

In the first place, the squatter's father applied for the assignment of S.No.176/2 in the year 1936 for the first time. For about three years he cultivated it. But subsequently he was evicted as the Board strongly objected to its cultivation. The Board then ordered the entry of this land in the Prohibitory order book.

Later, after the advent of Grow More Food Campaign, the squatter again entered upon the land;but even then he is penalised every year: first because the land was in the prohibitory list, and of late i.e. for the last two years because it was applied for by a political sufferer and hence his encroachment was treatrd highly objectionable by the Sub-Collector, Hospet, who ordered his immediate eviction.

Thus, the fact that the land was in the prohibitory

list and that the squatter was penalised every year, goes to show that the squatter can have no bona fide claims as a pre-occupant. Of course, even admitting for a moment for argument's sake that this deliberate falsehood of twenty years of enjoyment is but an innocent truth, it cannot overrule the aim and object of G.O.1523.

7. It is said that the S.No.176/2 lies in the midst of the squatter's patta lands, which is highly misleading. It gives a wrong impression that this land is surrounded on all sides by the squatter's patta lands. Well, Sir, nothing can be more misleading. The glaring fact that S.No.176/2 is but a subdivision of full S.No.176 which is one and continuous and is subdivided into S.No.176/1, S.No.176/2 and S.No.176/3, which subdivisions are all assigned to me, is itself an evident proof against the falsification of this statement. The subdivision 176/2 being right in the middle of the full S.No.176, which is assigned to me, cannot afford to be surroundded by the squatter's patta fields.

The mere fact that the squatter's fields are adjoining the subdivision 176/2 is twisted to give a false impression. The adjoining question is not peculiar to this squatter alone, as the full S.No.176 runs between a number of fields adjoining it. Any patta holder of any one of the many adjoining fields can put forth his claim for this S.No.176, if this adjoining question is to be considered the criterion for assignment. Furthermore, if it can be said that the subdivision 176/2 lies between the squatters patta lands, it is much more so in my case as 176/2 forms part and parcel of S.No.176 and lies in between the sub-divisions, 176/1 and 176/3 which were long ago assigned to me and are in my possession.

In addition to this, I am already a legal assignee for sub-division for 176/2 as well. Hence, the squatter cannot reasonably claim any preference over me even on this account.

Further, as all the three subdivisions, 176/1, 176/2 and 176/3 are contiguous and form part and parcel of one and the same S.No.176, the question of assignment of sub-divisions 176/2 which lies right in the middle of the full S.No.,cannot be considered separately in all propriety apart from the other sub-divisions which are assigned to me.

The persistent attempt on the part of the rich and influential squatter on S.No. 176/2 to snatch away that portion of land from me,the legal assignee for all the three sub-divisions (176/1, 176/2, and 176/3) is but to cause me much hardship and inconvenience by cutting away the connecting way from 176/3 to 176/1 and vice versa, and to make it practically impossible for me to cultivate sub-division 176/1 for which there is no way except through sub-division 176/2.

Hence, my earnest request to you, Sir, to be good enough to treat the assignment question of sub-division 176/2 in contiguity with the other two contiguous sub-divisions, 176/1 and 176/3, which have been assigned to me by the Collector, Bellary on 30-12-50 and which are in my possession now. Subdivision 176/2 has been assigned to me on 3-5-'51, by the Collector, Bellary, as said before.

Till recently, this land in question was in the prohibitory list. It was eliminated from the prohibitory list only on my application for its assignment as a political sufferer. Accordingly it has been assigned to

me by the Collector, Bellary. As the obstacles have since been removed for the assignment of S.No.176/2 in connection with the Political Sufferer, the squatter now comes out with all his so called claims for the land. But for the fact that it has since been removed from the prohibitory list essentially in favour of the Political Sufferer, the Squatter's application for the land would have been summarily rejected .

Although the Squatter knows full-well that all the claims he was able to put forth were fully discussed and finally quashed before the land was assigned to me by the Collector, yet on advice of his extra-intelligent secret back-door advisers, he fancies to repeat the same exploded so-called claims over and over again with the hope, perhaps, that false-hood and half-truth, if repeated indefinitely and consistently, may give an air of full truth in course of time and thereby he may have a chance of benefitting himself by defeating the hands of justice intended by G.O.1523 under some plea of equity or propriety.

Last, ~~Lst,~~ I request that the Hon. Minister for Revenue be pleased to uphold the Collector's assignment order of S.No.176/2 to me, the P.S., as was ordered in G.O.Misc. 2437/50.3. D/ 8-9-50., under the provisions of G.O.1523, and the Collector may please be instructed to put me in possession of the said land at an early date.

D/ 3-10-'51.

— Yours faithfully,

B. Kotragowd

I R.D.

Memo: No: 70245 F/57-1 D. 15/10

Land - Grant to Political sufferer - (Bellary) Veerapanahalli Tk. Hadagalli Vge. S. No: 176/1, 2, 3 assigned by Collector - to P.S.A.B.R Kotragond. Appeal petition by ryotwar against the Collector's assignment. Request to uphold the Collector's assignment order

From: Sri A.B.R. Kotragond. Petr. Dt. 3.10.57

A copy of the petition quoted above is forwarded to the Board of Rev for an urgent report.

To,
The Bd. of Rev (L.R.)
(with a Copy of the Petn)

Sd/-
15/10/57

Sd/-
16.10.57

Note:- Please see the petition in this CF and the minutes of H.M. (L.R.) thereon. A report may be called for from the Board of Rev. Enclosed herewith the draft memo submitted above is for approval

Sd/-
15/10/57

Sd/-
14.10.57

Issue K.N.R 19.10.57

Sd/-
15.10.57

Pp 1 = 9 CF

1 & 1/7 CF

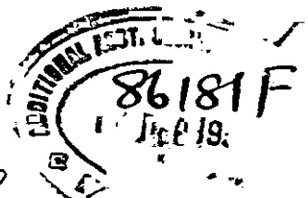
To

The Secretary.

Fr. Revenue Board

Chepauk.

Madras.



Sir.

I understand that there was a proposal in the Bellary District to assign lands S. No. 176/2; 176/3 etc, to one political sufferer, A. B. R. Kotragowd, K M [illegible] Arasanal village in A. Halli. Dy; under the Scheme of grant of Lands to the Political sufferer. The above said Kotragowd is no longer attached to the Congress He has resigned the Congress and he is Contesting for the election in Harapanahalli Constituency against Sirasappa of Harapanahalli nominated by the Congress.

He is not therefore eligible for the assignment of any lands

D. 13.12.57

Yours faithfully

K. Venkata Reddy

District Congress

Committee Members

Bellary Arasanal

4/ [illegible] శివిసన్స్ సొసైటీవారి ఇవ్వబడిన [illegible]

బళ్ళారి జిల్లా రుద్రనగుల్ల తాలూకా రంగసాగరం గ్రామంలో కంపెనీవారు పరకొండ యనుబారు రిజిస్టర్ చేసుకొన్న

1892 F
10 JAN 1952
37
ADDITIONAL ... DEPARTMENT

Sir,

A. B. R. కేటగిరీకాకను ట్రస్టీలు తెలుగు సభ్యులు అందరు బళ్ళారి జిల్లాలోని రంగసాగరం గ్రామంలోని స. నం. 176/1, 176/2, 176/3 మాగాణి రసవారి నంబరుగళన్ను లాము కొంగ్రెస్ వారికి దుడిదిరుచుకోండు కార్యాలయ కారణ బళ్ళారి జిల్లాలోని అధికారులు యిచ్చిన కారణాలుగా సంబంధ నంబరు గళన్ను ఈయని నకు దుంగాయిలియగి పప్పే ఎగడిరువరిందు నమునే చెళ్ళబడి.

సద్రి A. B. R. కేటగిరీ కాకను తగ్గ దాలి నకియిట్టిరువ వ యుద్ధనా ఓగొండిగే రుద్రనగుల్ల ఎలుకదిశాప్తిలక్కే కొంగ్రెస్సినింద ఆరంభవుదే ఇ. శరసప్ప, బళ్ళారి కాంగ్రెస్. ఇవర ఎదురిగే స్థ ఆంధ్రనా గి స్థదిగా సరుత్తానే.

సద్రి A. B. R. కేటగిరీ కాకను కాంగ్రెస్సినింద ఆరంభవుదే కారణదింద తగాను కొంగ్రెస్సగే రాజినామే ఉంగరియగాగి ఎదురు నింతిరువ కారణదింద తగాను కొంగ్రెస్సగే రాజినామే కొట్టిద్దరుత్తానెందు నాను తమగే దృఢవాగి తిళిదు త్తిదే. ఈగ నకియ ఆరువ ఎలక్షన్నినల్లి కొంగ్రెస్స ఉంగరియగాగి ఎరుగ శ్రీ ఎదురు నింతారు అవరు కాంగ్రెస్సిన కడిరది ఇరబేకెన్దు ఎంబుదన్ను నమ్మి ఎనమాడకాం శ్రీనో సంస్థెయు బ్రాంచ్ ఎరుడిదే.

ఉదాహరణ సద్రి A. B. R. కేటగిరీ కాకను కాంగ్రెస్ సంస్థెయింద కొడిసిరువనెందు దన్ను పరిగణిసి ఈగ దాలి రసనాళు తెయిదల్లి రుద్రనగుల్ల భూగాయిగళన్ను కొళ్ళలోప్ యుడి దాలి కొనుళువ లక్ష ఇరువ రీతి ఆరంభిసుత్తానే.

వందే ఉద్ధనవన్ను కొంది తు ప్రార్థిసుత్తానే.

Copies to.

1. The Secretary. Board of Revenue. Madras

2. The Collector. Bellary

తమ విధేయులు.

[illegible]

ಎಸ್ಟಪ್ಪ 14
ಪುಟ್ಟಪ್ಪ
ರಾಮಪ್ಪ
ಬಸಪ್ಪ
ನಾಗಪ್ಪ
ಹನುಮಪ್ಪ
ಶೇಷಪ್ಪ
ಅಂಕಪ್ಪ
ಚನ್ನಬಸಪ್ಪಹಿರಾ
ನಾಗಪ್ಪಕಿಲ್ಲೇರ
ಹಿರಾಮಪ್ಪ
ಕೆಂಚಪ್ಪ
ಹಗಳಿ ಪಿಸ

K. Fakira Re[illegible]
Member, District Congress
Committee. Bellary
and (Assam)
Political Suffrin
Assam

P. Rocha Baitavana Gow
District congress committe
Member.
Hasanal.

And Rocha was has drawn
provisionally attached
lands in Hiramahalu Vill
Harapanahalli Tq. Bellary
District and that he is a
P.S. He has now contested
the elections as an Independent
Candidate against the
Candidate set up by the
Congress. Now the Govt
is and hereby directed
to be loyal to the Congress. The
Petitioner prays that
the assignment of lands
Rendered to him may
be cancelled

SR & 29/3
Due 1/2/4
Rec'd

15 Rev. Dept

Memo: No: 702/15 F/51-2 B dt/

Land Grant to P.S. (Bellary) Harapanahalli Tk Arasanahal vge S. No. 176/1, 2, 3 assigned by Collr to P.S. A.B.L. squatter Kotra Gowda. Appeal pet[n] by squatter agst the Collrs assignment. Regret to uphold the Collectors assignment order.

From:- Sri. D. Kotappa and others pet[rs] & Anr

A copy of the petition quoted above is forwarded to the Board of Rev for confirmation of Memo no: 702/15 F/51-1, B 15/10 for insert report.

Pl. issue:- les 25.1.52

SR & 29/3 Due 1/2/4 Rec'd

Kannada translation of the copies

Bel dt. Dp 13-4-51

WB 3 14 Cf

dft WB 3 14 Cf

To, The Bd: of Rev (Lit) with a copy of the petn

les 24.1.52

25/1/52

Revenue Department F F3 16
Subject

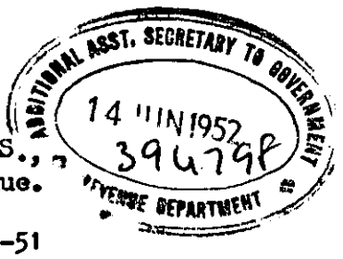
ASSIGNMENT - Land - Grant to Political Sufferers (Bellary) Harpanahalli Taluk Arsanahal Village - S.No.176/2 - Proposals to grant to Political Sufferers - Objection by Sivaramappa and Somappa - Request for assignment - Report - Submitted.

Station:Madras Ref.b.2421/51-9 d/11-6-52

From

Sri A.F. Mascarenhas,I.A.S.,
Secretary, Board of Revenue,Madras

Sri W.R.S. Sattianathan,I.C.S.,
Commissioner of Land Revenue.



plants. plant

Read:- Govt. Memorandum No.70215 F/51-1 dated 15-10-51
do 51-2 dated 25-1-52

REFERENCE

Satyapal Sivaramappa and Somappa sons of Late Siddalingappa have petitioned to the Board for the permanent assignment of S.No.176/2 of Arsanahalli Village,Harpanahalli Taluk,Bellary District measuring Ac.2-71 which is assigned by the Collector to a Political Sufferer,Sri A.M.Kotragowd The Collector after inspection of the said S.No has reported that only S.Nos.176/2 and 247 of the Village are classed as Vanka Porambokes, that the remaining portion of the Vanka runs through patta lands, that the vanka in question is not a supply channel to Kunchur Tank, nor it is a supply channel to any other tank, and that there is no objection to assign this S.No.176/2. He has further reported that equity requires that the field S.No.176/2 should be assigned to the petitioners for the following reasons.

(a) The land lies in the midst of the patta lands of the petitioners

(b) Thepetitioners father Siddalingappa has constructed two strong stone voddus, one in the middle and the other at its end and has made the land quite fit for cultivation after expending considerable amount of labour.

(c) The land in question has been in possession and enjoyment of the petitioners and their father for over twenty years.

(d) Sri Siddalingappa the father of the Petitioners to whom the land was intended to be assigned has paid a sum of Rs.186-4-4 in 1939 being the market value, tree value and demarcation charges . This amount has not been refunded.

2. The Counter petitioner Sri A.M. Kotragowd has not taken [illegible]sion of S.No.176/2 even though orders have been passed assigning it in his favour and is also reported to be disloyal to the National Congress Government as he contested a Congress candidate in the General Elections.

3. In the circumstances reported the Board recommends the cancellation of the assignment as far as S.No.176/2 is concerned and requests that it may be assigned in favour of the Sivoijamadars on payment of market value,though they are not landless poor persons. As regards a sum of Rs.186-4-4 paid by Siddalingappa towards land value and tree value in 1939, the Board also recommends that the Government may be pleased to sanction its repayment in favour of Sri Satyapal Somappa and Sri Sivaramappa.

for Secretary

To the Secretary to Government
Revenue Department,Madras with a petition.

PSS 11/6

RVK/11-6

From
Sri A.B.R.Kotragoud,
Political Sufferer,
Arasanahal village,
Harpanahalli taluk,
Bellary District.

To
The Hon'ble Revenue Minister,
Fort St.George,
Madras.

Honoured Sir

Sub: Assignment - Land - Grant to Political Sufferers - Bellary District - Harpanahalli taluk, Arasanahal village Survey Nos.176/2 and 176/3.

Ref: Bellary Dt.Collector's Proceedings R.C.14225/50-A3,d/30-12-50 & R.Dis.No.14225/49,dated 3-5-51

The District Collector Bellary was pleased to assign Survey Numbers 176/1 and 176/3 in his R.C.14225/50-A3,dated 30-12-1950 and Survey No.176/2 in his R.Dis.No.14225/49,dated 3-5-51 to me, A.B.R.Kotragoud. But up-till-now, possession of S.Nos.176/2 and 176/3 ~~are~~ it not given to me. I understand that an appeal by the rich squatter (Settyal Sivaramappa) on Survey No.176/2 which measures 2 acres and 71 cents, is pending with the Madras Government. A Revision petition by one squatter M.Hanumanthappa who has occupie only one acre and 60 cents out of 6 acres and 41 cents in S.No. 176/3, in December 1949 is also, I understand, pending ~~in~~ with the Government. Since it is long from the time of assignment order by the Dt. Collector,Bellary, which is strictly in accordance with the G.O.No.1523,Revenue Dept.,dated 11-6-49, I request the assignment question may be finally ~~be~~ disposed of at an early date and orders may be passed instructing the Tahsildar,Harpanahalli, to issue patta in my favour as per the Dt.Collector's assignment orders stated above.

Awaiting for early orders,

Yours faithfully,
A.B.R. Kotragoud
2-9-'52

To AP

Please see the petition and the minutes of M.(Agri) thereon. It is noted that the Board of Re. has rejected proposals for cancellation of the assignment in respect of S.No. 176/2 (2 Annexures) made in favour of the petr, among other grounds, for

2 16

The reason that he no longer owns this allegiance to the Congress. (In this connection it was also proposed that the land may be occupied by the Rinjamidar Timmappa.

examined whether the assessment in respect of 176/1 and 176/3 should also be cancelled and the file on the subject has been submitted to Special Officer before circulation.

M 70215 F/51
Transferred to A.S. on 9.9.52

In the circumstances no action is called for on this petition. This may be added to the routine papers in that file. Draft may be circulated to M (Agri) together final orders are passed in the matter receiving attention to M (Agri)'s Minutes overleaf

11/9/52

12/9/52.

12/9/52

12/9/52

Rev. Dept.

Memo. No. 702:15 F/57-1-6 Dt. nil
Land - Grant to Political Sufferers (Bellary) -
Harpanahalli Taluk. Arasanahal village -
Sy. No. 176/2 - Assignment in favour of Political
Sufferer - Objection

From Sri A.B.R Kotragond's petition Dt 3.10.57
Govt. Memo. No. 702 15 F/57-1 Dt 5.10.57
Govt. Memo. No. 702 15-F/57-2 Dt 25.1.58
From the Bd of Rev. Rev.B. 2421/57-9 Dt 11.6.58

Sri A.B.R Kotragond is informed that the Govt. have examined his request in consultation with the Collr. and the Bd of Rev. and see no reason to comply with his request. His petition is rejected.

2. As regards its recommendation that the land should be assigned in favour of the Sirnijamadar on payment of market value, the Bd is informed that as the Sirnijamadar is a well to do person it is not necessary to assign the land on payment of market value but that the same should be sold in public auction with respect to the instructions in G.O. No. 7/1. 1957 Rev. Dt. 7.7.58. The Bd is requested to issue instructions to the Collr. accordingly.

3. The Govt. also sanction the refund of the sum of Rs ~~106-14~~ 186-4-4 (Rupees one hundred and eighty six ~~four~~ annas, and ~~five~~ pies only) being the amount deposited by Sri Siddalingappa in 1939 to his legal heirs.

To
The Bd of Rev. (AR)

To
Sri A.B.R Kotragond
Arasanahal vije.
Harpanahalli Tk.
Bellary Dt.
(Land Only)

Rev Dym

[CN T0215 F/51] Land. Grant to Political Sufferer. (Bellary Harapanahalli taluk. Arasanakal village. S.No 176/1,2,3 – assigned to a Political Sufferer – appeal by the encroacher to the Bd of Rev – Report for upholding the said order.

dp 1-9 cf From Sri A.B.R. Kotragowda petition dated 3.10.51

TOAS

Please see the petition at dp 1-9 cf and the minutes of H M (LR) at p 1 cf.

d2 cf & (P) 2. In G.O No 2437 Rev dated 8.9.50, it was ordered that S.Nos 176/2 & 176/3 of Arasanakal village be transferred to Agam and the same assigned to the Political Sufferers. In pursuance of the above order, the said assignee to Rev assigned the lands in question to the petitioner who is a political sufferer. Against this assignment, the encroacher ~~appeared before~~ has appealed to the Bd of Rev. and the matter is reported to be pending with the Bd.

3. With reference to the minutes of H.M (LR) a report may be called for from the Bd of Rev after A order in this is submitted for approval

d2 cf 11.10.51 10.10.51 14.10.51

DS 14.10.51 dp 13-14 cf Issued as Memo: No: Y0215 F/51-1, dt 15/10/51 from: Sri D. Kolappa and Others Petrs of mil

Please see the notes above, dp 1-7 cf. the petition at dp 1-9 cf, the memo at p 10 cf and the further petn from Sri. D. Kolappa and

2/

others on pp 13-16 cf. A Copy of the petition may also be forwarded to the Board for ~~a~~ report. Subject to orders a draft memo is submitted for approval

24.1.52 25/1/52 DS

24.1.52

Issued as Memo. No. 70215-F/51-2 D 25.1.52. p 15 cf
From the Bd of Rev. Rep. B. 2421/51-9 D 11.6.52. p 1 cf
To AS

Please see the notes from pl ante. The memoranda on pp 10 and 15 cf and the Bd's report on p. 16 cf. Sri A.B.R. Kotragowd has represented that he was assigned S. No. 176/2 of Aravanahal village, Harpanahalli Taluk, Bellary Dt. under the scheme for the grant of lands to political sufferers. He has further represented that one Sivaramappa, a rich ryot is in possession of the land and requests that the land may be put in his (Political Sufferer's) possession. Sri K. Venkata Reddi and others have put in a petition stating that Sri A.B.R. Kotragowd has been disloyal to the Congress as he stood against the official Congress Candidate in the recent elections and is therefore not eligible for the grant of lands under the scheme. Reports were called for from the Board on the petitions. The Board's report is in the notes in p. 16 cf and may be perused. The Board has reported that the Sirastedars Satyapal Sivaramappa and Somappa have requested for the assignment of the lands in question

p 1-2 cf

—check

p 9 cf

p 11-14 cf

p. 10 and 12 cf & p 16 cf

para 1 on p. 16 cf. The Board has also reported that the Collr. inspected the lands in question and for the reasons stated at X on p. 16 cf. has considered that equity required that the land in question should be assigned to the Sirvojamadars, Sri Sivaramappa and Somappa. The Board has

para 2 on p. 16 cf. reported that Sri Kotragond has not taken possession of the land and that he has been reported to be disloyal to the Congress. The

para 3 on p. 16 cf. Board recommends that in so far as S.No. 176/2 is concerned the assignment of the same in favour of Sri Kotragond might be cancelled and the same assigned to Sri Sivaramappa and Somappa on payment of market value. If Sri Kotragond is disloyal to the Congress as has been reported, the

I don't think so 7/1 assignment of all the lands made in his favour should be cancelled and not only S.No. 176/2 as recommended by the Bd of Rev. It is therefore for orders whether the Bd. may be asked to Cancell the assignment of all lands made in favour of Sri Kotragond. The Sirvojamadars are reported to be rich persons. It is for consideration whether in the circumstances reported by the Collr., the Govt. will accept the recommendation of the Bd. of Rev. and order the assignment of the lands in question in favour of the Sirvojamadars on payment of market value.

Bd. may be asked accordingly 4/7/52

May be approved 4/7/52

para 3 on p. 16 cf. The Board has also recommended that the sum of Rs 186-4-4 paid by Sri Siddalingappa towards land value and tree value in 1939 be ordered to be refunded in favour of Sri Sivaramappa and Somappa the sons of the deceased Siddalingappa. The Board's recommendation may be accepted.

May be accepted 4/7/52

Finance may see before circulation.

4/7/52 dlf

(to direct issue)

D.S. Fin

28/6/52

29.6.52

I do not think it was ever the intention that the scheme of assignment of lands to political sufferers was to ensure their loyalty to the Congress. The policy of assignments was adopted presumably for the purpose of recompensing those who have suffered in the cause of the country. Sri Kotragowd has been declared to be a political sufferer and the fact that he has now resiled from the Congress, would not, I fear, be a legitimate cause for cancelling the assignment that was made to him because of his sufferings on behalf of the country. The cancellation of the assignment on this ground would be improper.

A

2. The political sufferer has, however, not been put in possession of the land yet. The Collector who has inspected the land has said that equity requires that S.No.176/2 should be assigned to Sivaramappa and Somappa because--

(a) The land lies in the midst of the patta lands ~~of the petitioners;~~

(b) Their father made the land fit for cultivation after expending a considerable amount of labour;

(c) The land in question has been in possession and enjoyment of the family for over 20 years;

(d) It was originally intended to assign the land to the father of these petitioners who had paid a sum of Rs.186-4-4 in 1939 as the market value, tree value and demarcation charges. This amount has not yet been refunded.

3. There is no proof that the sivoijamadars are wealthy people except the statement made by the political sufferer, Kotragowd, in his petition. I cannot however agree that the land should be assigned to the sivoijamadars free of market value. They have already paid the market value fixed in 1939 when the land was proposed to be assigned to them and I would, therefore, suggest that it should now be assigned to them in preferance to the political sufferer on collection of market value, viz., by adjusting the sum that has already been paid by them towards this

B

purpose. The assignment made to the political sufferer may accordingly be cancelled as recommended by the Board.

4. There is, however, the possibility that if the assignment once made to this political sufferer is cancelled, the opposition parties will try to make capital out of it by misrepresenting the position and publicising that the cancellation was made because he resiled from the Congress Party. But, Government need not, I think, bother about this aspect.

Since writing this note, I find that in G.O.Ms.No.3008, Revenue, dated 9.11.48 Government have specifically directed that assignments should not be made to political sufferers who are no longer loyal to the Indian National Congress. Apart from this, equity demands that the land should be assigned to the sivoijamadars for the reasons given by the Collector and which I have referred to in my note above. The fact that the political sufferer has not yet been put in possession of the land would justify the assignment to the sivoijamadars in conformity with the Government's present policy. The file will be submitted to C.M. also after Finance have seen.

Finance.

Reg. No. 70215-F/51-5
11.7.52

ADDITIONAL SECRETARY TO GOVERNMENT
5168
1 JUL 1952
FINANCE DEPARTMENT

F

from (Accts)

Notes from p.2 above may be perused.

Rev. proposes to cancel the assignment of S.No.176/2, Arasanhal village, Harapanahalli Taluk, made in favour of Sri A.B.R. Kotragowd, and reassign it to the Sivoijamadars on payment of the market value. Finance may agree.

'A', 1) p. 4-5 ante

Pa 15.7.52
DSO 16.7.52
DS 18.7.52
MM/19.7.52
S. Rev

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
21 JUL 1952
SD517

Revenue Department.

To A.S.

Please see the notes from p.2 ante.

2. The notes on pp.2-3 ante, gives a history of the case and may be perused. For the reasons stated on pp.4-5 ante, this Department propose to accept the recommendation of the Board, that the assignment of S.No.176/2 of Arasanahal Village, Harapanahalli Taluk made in favour of Sri A.B.R. Kotragowd, should be cancelled and the land assigned to the sivoijamadar on payment of market value. Finance have agreed with this Department. ~~The file may be circulated for orders on "A" above.~~

F) 21)
from U.O.51659-Accts 52-1
19.7.52
F para 3 upto 16 C/F
A
F 6 above.

3. It is also for consideration, whether in view of the fact that Sri A.B.R. Kotragowd is no longer loyal to the congress, all the lands assigned in his favour will also be cancelled. ~~For orders.~~

F para 4 and (5)
B.
The Board's letter to B is not at all clear. It should be clearly taken up separately either on a clear note by the Revenue Secretary or a clear letter from the Board. Case should be submitted after that.

The file may be circulated for orders on A & B above

A & B above may be approved

Asajanayanan 28/7
28/7/52

21/7/52
21.7.52
28/7/52

NOTE FOR CIRCULATION.

(With reference to the orders of A.D.S. on p.6 ante, the following note for circulation is submitted for orders).

2. Sri A.B.R. Kotragowd represented that he was assigned S.No. 176/2 of Arasanahal Village, Harpanahalli Taluk, Bellary District, under the scheme for the grant of the lands to the political sufferers, that one Sivaramappa, a rich ryot was in possession of the land and had therefore requested that the land may be put in his possession. Sri K. Venkata Reddy and others put in a petition stating that Sri Kotragowd was disloyal to the Congress as he stood against the official Congress candidate in the last elections and therefore not eligible for the grant of land under the scheme. Reports were called for from the Board of Revenue on the petition. The Board reported that the Collector who inspected the land had considered that ~~equity required that S.No.176/2 should be assigned to Sivaramappa and Somappa~~ equity required that the lands assigned to Sivaramappa & Somappa - (a) as the land lay in the midst of their patta lands; (b) as their father had made the land fit for cultivation after expending a considerable amount of labour; (c) as the land in question had been in possession and enjoyment of the family for over 20 years; and (d) as it was originally intended to assign the land to the father of these persons who had paid a sum of Rs.186-4-4 in 1939 as ~~the~~ market value, tree value and demarcation charges and this amount had not yet been refunded. ~~equity demanded that S.No.176/2 should be assigned to Sivaramappa and Somappa.~~ Sri Kotragowd had not taken possession of the land and as he was reported to be disloyal to the Congress, the Board recommended that in so far as S.No.176/2 ~~is~~ was concerned, the assignment

of the same in favour of Sri Kotragowd might be cancelled and the same assigned to Sri Sivaramappa and Somappa on payment of market value. For the reasons stated on pp.4-5 ante, this Department proposed to accept the recommendation of the Board of Revenue that the assignment of S.No.176/2 of Arasanahal village made in favour of Sri Kotragowd should be cancelled and the land assigned to the sivojamadar on payment of market value. Finance have agreed with this Department.

3 Another point for consideration arising in this file is whether the assignment made in favour of political sufferers who have subsequently proved disloyal to the Congress should be cancelled. Under G.O.No.3008, Revenue, dated 9.11.1948, political sufferers who are no longer loyal to the Congress should not be given any lands. An exception however has been made in the cases of Socialists who had gone to jail in the cause of Indian Independence but who were no longer loyal to the Congress. At the time of the scrutiny of the applications of the political sufferer by the Collector in consultation with the members of the Non-Official Advisory Committee, the question whether the person is loyal to the Congress or not is determined and then only, the person is declared to be eligible for land grant. It appears that it may not be possible to verify at every ~~state~~ stage, that is, at the time of provisional assignment and at the time of the grant of patta whether the political sufferer continues to be loyal to the Congress or not. It is also submitted that it appears that it was ~~ever~~ never the intention that the scheme of assignment or lands to political sufferers was to ensure their continued loyalty to the Congress. It is therefore for consideration whether the lands should be granted only if the political sufferers continue to be loyal to the Congress till the time

7R/15(A)/51

of the grant of patta, care being taken to verify at every stage whether the political sufferer is loyal to the congress or not, or (ii) whether it is sufficient if the person had been loyal at the time he is declared to be a political sufferer eligible for land grant.

The file may be circulated for orders on "A", "B" and "C" ~~above~~ on pp 8-9 above and A on pre pag & D above may be approved

9-9-52

D-1 This is all academical and unnecessary to pursue now. Even a pol. sufferer who claims to be loyal is not entitled to assignment unless he is also a landless poor. If at all, alternative (ii) shd be enough

B

USR 9/9

USR 9/9

It would be a bad thing to change & change every now & then. Because he happens to be a turn coat if the Congress the assignment need not be cancelled on that ground. But he is not yet in possession of the land; for that reason the assignment order need not be given effect to. ~~If he has been a landless poor~~ - but otherwise. If the assignment order can be cancelled for this reason the land may be assigned to the Sivajanadar on payment of market value as suggested at A on p 8 ante

9.9.52

M (L R)

OP

On very broad ground.

USR 9/9

para 7 p 16 CF

Land Off Act (5)

AA

M. A. Nambiar

M (L.R) 16/9

M (Agri)/C.M

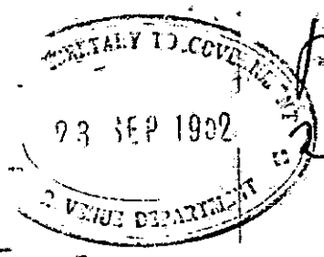
18/9

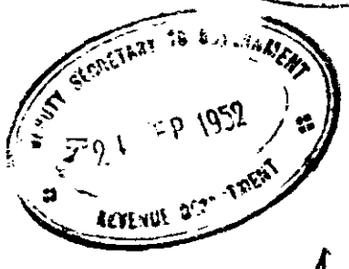
(x) Ask refce to petn from the Pol. Sufferer at p 17 CF & M (Agri)'s remarks thereon

P.S. cancelled & filed

USR 9/9

10





A

This is rather a difficult case from all points of view. It seems unfair to give the land away to the rich neighbour. But is it possible to put it up to auction so that the man may pay full value for it?

C Rajagopalachari
22-9-52

Revenue Department.

To A.S.

Please see the minutes of C.M. above.

2. With reference to "A" above, it is submitted that there is no objection to sell the lands in public auction as the same will be in consonance with the orders in G.O.No.1957, Revenue, dated 7.7.1952. It is however submitted that by adopting the above suggestion now in respect of this land, it would be making the sivoijamadar pay very heavily, as others will bid taking into consideration the present value of the land, whereas the sivoijamadar had already deposited the market value as fixed previously provisionally and also spent considerable amount and labour on the reclamation of the land. The adoption of the suggestion would in effect mean that the Government are not giving any rebate in the market value of the

AA

(C)

'x' mark of

lands for all the amount spent on the reclamation of the lands and for the payment of Rs 186.4.4 in 1939 to the Sivayanadar's father towards market value, tree value and demarcation charges.

25.7.52

25.7.52

for orders on note above.

[illegible]
1608

In the circumstances sale by auction wd. be harsh. Submitted that the suggestion at A on p.8 ante may be approved i.e. on collection of market value

[illegible]
1.X.52

M.A. Marikkar
M(L.R)/M(Agri)/C.M.
4/10.

It may be sold in auction & the amount paid by Sivayanadar by us refunded

[illegible]
T/X.

I don't see why Govt should be making presents to individuals for works. A careful estimate may be made of the amount really spent by the Sivayanadar and M(agr).'s suggestion carried out. Perhaps much has not been spent. ~~as the Engineer~~ Let it be authorised as at AA/p.10.

[illegible]
8.10.52

P.S. Secretary to
[illegible]

DEPUTY SECRETARY TO GOVERNMENT
4 OCT 1952
REVENUE DEPARTMENT

3.10.52

DEPUTY SECRETARY TO GOVERNMENT
7 OCT 1952
REVENUE DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT
8 OCT 1952
REVENUE DEPARTMENT

70215-F/51

Rev. Dept

To As

~~M(Agri)~~ The file may be recirculated to M.(L.R.) for perusal of the minute ~~regarding~~ (Agriculture)

mp. 11 ante

Ds 8/10/52

Vidyasankarayanam 9.10.52

SECRETARY TO GOVT. 11 AUG 1952 REVENUE DEPARTMENT

M.A. Nambiar 11/X

M (L.R.) / M (Agri) Rtnga Sivam 14/X.

DEPUTY SECRETARY TO GOVERNMENT 13 OCT 1952 REVENUE DEPARTMENT

To As

Please see the orders in Circulation.

A draft memo is submitted for approval.

20/10

16.10.52

19.10.52